

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

KIMBERLY A. WARD,)
)
Plaintiff,)
)
v.) Case No. 14-cv-00544-TCK-PJC
)
)
SECURITAS SECURITY SERVICES) Tulsa County Case No. CJ-2014-03189
USA, INC.,)
)
Defendant.)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1332, 1367 and 1441 *et seq.*, Defendant Securitas Security Services, USA, Inc. hereby removes this action from the District Court of Tulsa County, Oklahoma to the United States District Court for the Northern District of Oklahoma, based on the following:

1. Plaintiff Kimberly A. Ward filed suit against Defendant on August 20, 2014 in the District Court of Tulsa County, Oklahoma alleging employment discrimination and retaliation. *See Petition, Exhibit 1.*
2. According to that Petition, Plaintiff is a citizen of Mayes County, Oklahoma, which lies within the geographical boundaries of this Court. *See Petition, Exhibit 1, ¶ 2.*
3. Defendant is a foreign corporation with its principal place of business outside of Oklahoma, but is authorized to transact business within Oklahoma and transacts business within Tulsa County, Oklahoma.
4. Defendant's registered agent received process on or about August 25, 2014. *See Return of Service, Exhibit 1.*

5. The claims asserted arise out of Plaintiff's employment with Defendant. Plaintiff alleges that Defendant discriminated against and harassed her on the basis of gender, and retaliated against her for engaging in protected activity, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.* and/or the Oklahoma Anti-Discrimination Act, Okla. Stat. tit. 25, §§ 1101 *et seq.* Plaintiff further alleges a claim for intentional infliction of emotional distress. *See* Petition, Exhibit 1.

6. Plaintiff seeks damages "in excess of \$75,000.00." *See* Petition, Exhibit 1.

7. The claims asserted by Plaintiff arise under the laws of the United States. 28 U.S.C. § 1331. To the extent that Plaintiff has asserted claims not arising under the laws of the United States, those claims "are so related to claim in the action within such original jurisdiction [of this court] that they form part of the same case or controversy under Article III of the United States Constitution." 28 U.S.C. § 1367(a).

8. In addition, the claims asserted by Plaintiff are between "citizens of different States," and the "matter in controversy exceeds the sum or value of \$75,000." 28 U.S.C. § 1332(a)(1); *Hertz v. Friend*, 559 U.S., 130 S. Ct. 1181 (2010).

9. As such, this Court has jurisdiction over this removed action. 28 U.S.C. §§ 1331, 1332(a)(1), 1367(a).

10. Defendant has removed this action within 30 days after service of Plaintiff's Petition upon Defendant. 28 U.S.C. § 1446(b).

11. Pursuant to 28 U.S.C. § 1446(a) and LCvR 81.1, a copy of all process, pleadings and orders served upon the Defendant in this action are attached as Exhibit "1."

12. Pursuant to LCvR 81.2, a copy of the docket sheet from the Tulsa County District Court is attached as Exhibit "2."

13. Written notice of this removal will be given to all parties and a copy will be filed with the Clerk of the District Court in Tulsa County, Oklahoma promptly after this Notice of Removal is filed.

14. Defendant reserves its right to answer or present other defenses or objections. FED. R. CIV. P. 12(b), 81(c)(2).

WHEREFORE, Defendant Securitas Security Services, Inc. respectfully removes this action from the District Court of Tulsa County to the United States District Court for the Northern District of Oklahoma, and requests that this lawsuit proceed under this Court's jurisdiction.

Dated: September 12, 2014

Respectfully submitted,

By /s/ Kathy R. Neal
Kathy R. Neal, OBA No. 674
Courtney Bru, OBA No. 21115
McAfee & Taft
1717 S. Boulder Suite 900
Tulsa, OK 74119
(918) 587-0000
(918) 599-9317 fax
kathy.neal@mcafeetaft.com
courtney.bru@mcafeetaft.com

Attorneys for Defendant
Securitas Security Services USA, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of September, 2014, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants, and a copy of the foregoing will also be sent via U.S. mail to:

Daniel E. Smolen
Donald E. Smolen, II
Lauren G. Lambright
SMOLEN, SMOLEN & ROYTMAN, PLLC
701 South Cincinnati Avenue
Tulsa, OK 74119

Kathy R. Neal
